Opinion and Commentary

JACK-STRAWS

by Jack Wallis

Road rage

Many auto crashes begin well in advance of the time and place they actually happen. That's because many people get behind the wheel when they are angry, sleepy, under the influence of alcohol or drugs, in ill health, or otherwise distracted.

As a result, an increasing number of drivers are succumbing to road rage or choosing to be an aggressive driver.

The best protection against these dangerous drivers is to become a defensive driver, according to the Western Insurance Information Service.

A defensive driver thinks ahead, anticipates and prepares to act instead of react when an emergency arises.

The art of defensive driving is to concentrate. Rather than combing your hair, reading a map, dialing a phone, or tuning a radio, keep your mind focused on the condition of:

—Other drivers—give that weaving motorist space.

—The road—watch out for unexpected curves or potholes.

—Traffic—allow more following distance during rush hours.

—The weather—will the upcoming highway be icy?

—Your vehicle—you can't rely on a car that's not in good running condition.

—The light—can other drivers see you at dusk?

Not surprisingly, the nighttime traffic death rate is almost 10 percent higher than the daytime rate. The less you can see, the more defensive your driving should become.

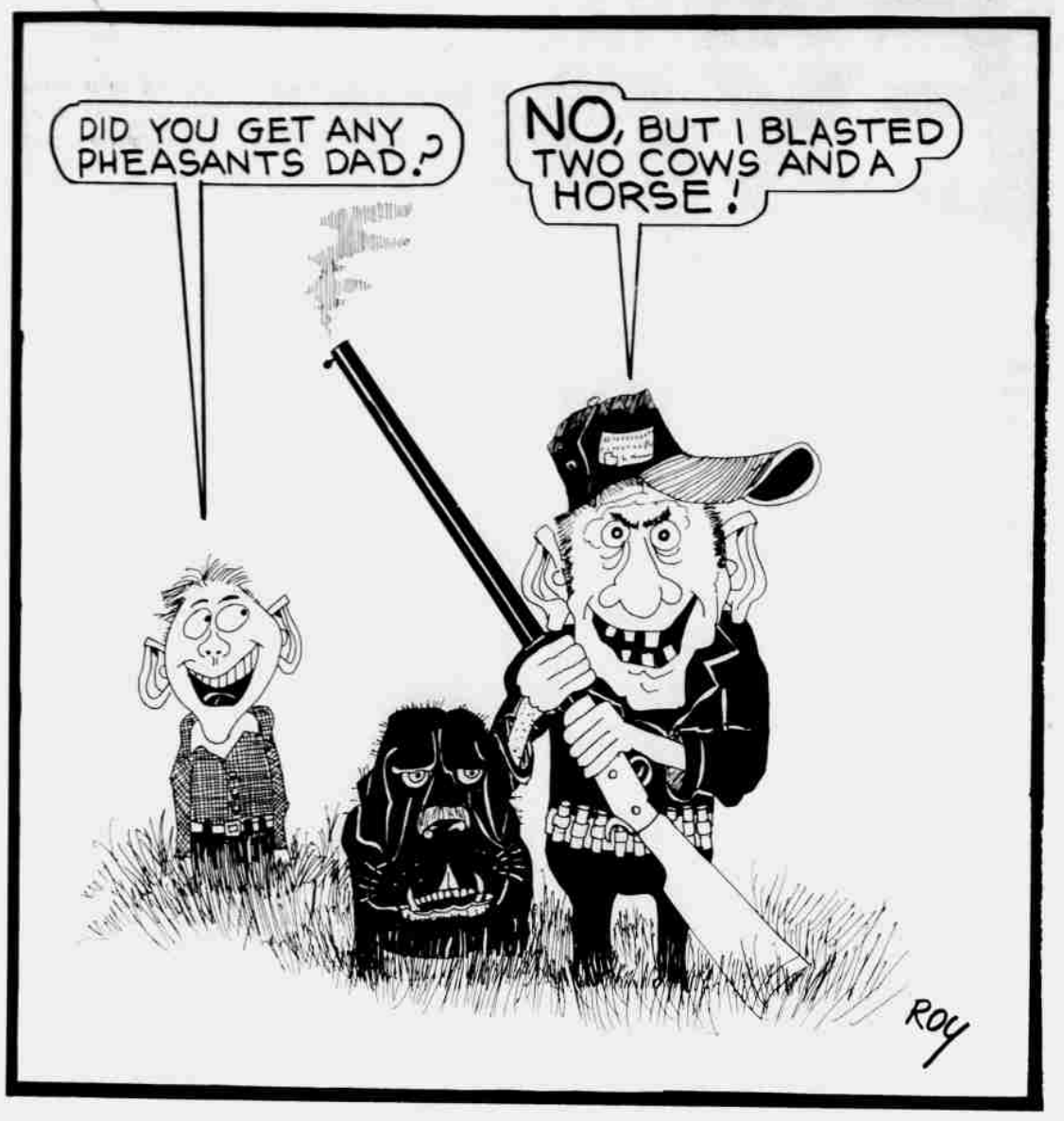
At night, visibility is often restricted to the range of your headlights, and on hills and curves, your headlights momentarily shine into space. Shorter visibility distances require shorter stopping distances which means reduced speed.

If you meet bright lights while driving (an oncoming car has its high beams on or your rear view mirror reflects glare from the vehicle behind you), slow down and watch the right edge of your lane as far ahead as possible.

According to the Western Insurance Information Service, driving defensively not only saves lives, it saves time and money by helping you avoid traffic tickets, damage to your auto, schedule delays, and increased auto insurance premiums.

It's better to take the time to drive safely, and know how to act instead of react to unexpected situations.

Drive defensively, arrive alive.



PUBLIC FORUM

LETTERS TO THE EDITOR

What is your opinion? The Express welcomes letters from its readers concerning any subject pertinent to the Uintah Basin. There are no restrictions as to contents, if not libelous or vindictive and of reasonable length (two typewritten double spaced pages). Letters must be submitted exclusively to the Express and bear the writer's full name, signature, phone number and address. Letters may be mailed, faxed at 789-8690 or through e-mail at editor@easilink.com. The name or names of those submitting letters must appear on all published letters. All letters are subject to condensation. Letters express the opinion of the writer and are not necessarily the opinion of the Express Editor.

Good people

Dear Editor,

We were deeply touched by the article awhile back on the temple in relation to the many people who would be coming to Vernal for the open house and also for those who will come after the temple opens. Our Mayor Leonard Heeney said in just a few words, "all these people will be good people."

Mayor Heeney, that was the nicest thing you could have said about the Mormon people, taking in consideration the nearly 50 years you have lived among us here in this valley. We are sure that all of us haven't always treated you fair and honest over all these years. It was so kind of you to say such nice things about us. May we try harder to be the kind of people you have labeled us.

We want to thank you, Leonard, for all the many hours you put in, not only to make Vernal a better city, but for all your work in our whole community.

We take our hats off to you and salute you.
CARL & SHIRLEY OLDAKER
Vernal

Day of recognition

Dear Editor,

Tuesday, Nov. 11, 1997 is a day of recognition for those who have served in the military either during war or conflicts, "Veterans Day."

A day to review memories and in some cases extraordinary sacrifice, but it is also a day to celebrate and dream of the future.

Those of us who have seen the dead, wounded and the mud, misery and suffering and the sacrifice of war probably recognize freedom as a God given right in just a small different way, but as all Americans we know freedom is never free.

May I say to the young, keep your arms always ready and strong because challenges of the future won't be any easier than those past.

Happy Veterans Day to all veterans of the Uintah Basin and bless those veterans who are missing and unaccounted for.
CHARLES GRAY
Commander, Disabled American Veterans

Pumpkin festival

Dear Editor,

We attended the Great Pumpkin Festival held in Jensen last week. It was a rare treat to see all the artwork involved in carving those pumpkins.

This was a wonderful event for the whole family. Members of our family (ages 4 to 70) found an enjoyable experience at the festival, and we look forward to attending next year.

For those who missed this year's festival, please make it a point to visit next year — it will be well worth your time.
OPAL and SUSAN FREEMAN
Vernal

Jurisdiction issue

Dear Editor,

I am writing in response to the letter published in the Ute Bulletin, Oct. 15, 1997, from the Roosevelt City officials in which an elaborate rationalization was made, among other things, in regard to the State of Utah, Roosevelt City and Uintah and Duchesne County's jurisdiction dispute with the Ute Indian Tribe.

The Supreme Court, in 1986, reconfirmed the Uintah Reservation boundaries and jurisdiction of the tribe. Nevertheless, the dispute has continued.

Upon information and belief, "Hagen" (1989) is the last and most recent case in a series of cases over the past 22 years of litigation which has served as a catalyst for claims to tribal property and lands made by the State and local defendants, culminating in the case Ute Indian Tribe vs. the State of Utah and Local Defendants now pending in the Federal District Court of Utah.

Roosevelt City officials state in their letter: "It was imperative for Roosevelt City to clarify the right to enforce criminal jurisdiction within its boundaries. Without this authority, there would be no City of Roosevelt as it now exists. However, before Roosevelt City could establish jurisdictional authority, thereby reestablishing judicial integrity, the city had to make certain it was not on the Ute Indian Reservation."

This statement is interesting and ironic in that Roosevelt City sits in the heart of the Indian population on the Uintah Reservation. Upon information and belief, more often than not, it's not what one says, but what one doesn't say that constitutes the falsehood.

Upon information and belief, it's highly probable that state and local defendants knew that the four homesteads alluded to in said article were voided under the Homestead Act when Edgar F. Farmston and others, petitioned for incorporation of the homesteaded lands as the town of Roosevelt in 1913.

Under the law, corporations cannot homestead and homesteads cannot be incorporated after they have been perfected.

Even if the State and local defendants failed to discover the "petition" of 1913, the law still applies in 1991 when Roosevelt City, "again," incorporated as a town. Additionally, documents show that Vernal City incorporated as a town in 1990. This could not be an easy over-sight to make.

Daggett voters face bond to construct 70-bed jail

Daggett County Sheriff Gaylen Jarvie wants to build a 70-bed jail, and would like to rent the vacant beds to the state to offset the cost of the facility.

"Our tax base is quite small," Jarvie said. "So, county officials plan to rent 55 to 60 of their jail beds to the state for prison inmates. At the current rate of $38 per day, that revenue can be used to pay off the bond authorized by voters and eventually pay to run the entire jail each year."

It will cost Daggett County $100,000 a year to operate the proposed facility.

The county only needs about a 20-bed facility, but with rent from state prisoners, Sheriff Jarvie says the county can afford to build a better facility.

If voters approve the bond necessary to build the facility, the new jail is projected to cost $2.9 million and create 14 new jobs.

Upon information and belief, Vernal City was established and developed on tribal lands that were set aside for mineral exploration and development in the late 1880s. This did not, however, remove the lands nor the said towns from tribal jurisdiction.

Upon information and belief, the issue is not that 95 percent of the population of Roosevelt are non-tribal members as the city officials have stated. That's rationalization to justify the litigation. The issue is legal ownership of property on which the towns were established. Ninety-five percent of race population does not lawfully justify the claims on the property when it belongs to another regardless of one's rationale.

The Roosevelt City officials made slight reference in their letter to the mineral wealth of the tribe and denied that the underlying purpose of the State and local defendants' repeated jurisdictional disputes with the tribe is related.

Upon information and belief, the jurisdiction issue is much broader than just the judicial integrity of Roosevelt City. Law and order does not generate revenue. The State and local defendants are also seeking jurisdiction and state domain over a very large part of tribal lands assigned to the mixed-blood Utes under the terms of Public Law 671 —83rd Congress (68 Tribal 868), August 27, 1954 and the right to tax the purchases of Tribal members within the towns which are determined and declared to be outside tribal jurisdiction. Most of which sits within the heart of the reservation.

Overtly bound into the State and local defendants claims are the lands and tribal capital proceeds derived from the entire 27.5 percent of the "undivided" trust assets of the "Tribe" held by the Uintah Mixed Group which includes the tribal water and water rights and the gas, oil and mineral rights of the tribe to which the mixed-blood members are, by Federal Statute, the beneficiaries.

Upon information and belief, where there is land, there has to be water. The State of Utah sold its interests in the Colorado River Water to others when it could not gain access to its allocated portion, therefore, does not have any water lest it be that of the Ute Indian Tribe.

Upon information and belief, examination of the events of the past 40 years elderly demonstrates non-Ute and non-tribal interference in tribal affairs to the complete detriment of the "Tribe" and the sacrifice of 490 Uintah Treaty Band members (241 children and 248 adults), their property, rights, interests, and entitlements, and 27.5 percent of all tribal assets held in Federal Trust for said members under the terms of Public Law 671.

Upon information and belief, Roosevelt City, as an entity, may not be benefitting from any direct receipt of revenue of possession of any proceeds derived from aid sources, but, many of its non-Ute residents "are" through the "questionable" purchase of stock shares in the "Ute Distribution Corporation" which was established in 1958 by the mixed-blood members of the tribe as a conduit for the distribution of said Tribal Capital Proceed derived from the gas, oil and mineral estate, to the mixed-blood beneficiaries.

The Indian-owned Corporation is now, and has been since before 1960, controlled, through said non-Ute stockholders' voting power and the trust and restricted Tribal Capital Proceeds are distributed to the majority body of non-Indians of Utah and others.

I agree that some accusations are born our of ignorance. However, upon information and belief, Utah is noted for keeping the general populace of the state as much in the political dark and uniformed as possible especially in situations where common knowledge may generate questions and public opinions that may cause some discomfort for the officials of the controlling political body. So the unfounded public criticism complained of by the Roosevelt City officials can only be laid at the doorstep of the State and local defendants.

Public Law 671 happened to the entire Ute Indian Tribe. Because the Tribal council and the Tribal Business Committee, for the past 40 years have failed to recognize and acknowledge this fact, due to outside interference, does not change the law.

It appears this case may be headed for the Supreme Court. Perhaps then the issues of tribal jurisdiction on the Uintah Reservation and state taxation of the Ute Tribal members will finally be laid to rest.
DORA VAN
Member Affiliated Ute Citizens

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Voice of Business

IRS reform due to small business

by Thomas J. Donohue,
President & CEO, U.S. Chamber of Commerce

WASHINGTON — If you can't make them see the light, then at least make them feel the heat!

The American people — led by the small business community and groups like the U.S. Chamber of Commerce — have taken that old adage to heart in convincing Congress and the Clinton administration to embrace wholesale overhaul of the Internal Revenue Service.

In recent weeks, Congress has been getting an earful from taxpayers who have been harassed and hassled by IRS agents, even when it was clear that the agency was in the wrong, not the taxpayers.

One witness showed the congressional committee a letter from the U.S. Department of Justice asserting that the IRS was wrongly pursuing a tax dispute with him, but the letter had no effect on the IRS. It just kept on after him year after year until he had squandered a fortune in legal costs and almost destroyed his business.

Several IRS employees swore under oath that their bosses expected them to take an adversarial approach to taxpayers as a matter of routine. They said some IRS workers illegally browse through tax returns snooping into the finances of celebrities or neighbors; that IRS employees were judged according to how much money they brought in, regardless of how they got it; that agency manager covered up evidence of abusive behavior by employees; and that many IRS employee considered all tax debtors to be "crooks or flakes" who deserved no sympathy.

Further, abuse of taxpayers by irresponsible agents is only one of the agency's problems. The IRS has spent billions on a computer system that does not work yet and people calling the IRS with questions about their taxes more often than not cannot get through. Even when they do get through they cannot get consistent answers.

Senator Bob Kerry, D-Neb., and Rep. Rob Portman, R-Ohio, co-chaired a blue ribbon commission that investigated the IRS and recommended complete reorganization of the agency. Until Oct. 21, the Clinton Administration vehemently opposed their suggestions, but the political heat generated by hundreds of thousands of individual and business taxpayers began to burn. In a stunning reversal, the president has now promised to sign major overhaul legislation.

It is critical that the business community, and all taxpayers, keep up the heat on the president and Congress until the very moment the name "Bill Clinton" is firmly affixed to substantive IRS reform.

With success in this effort now within reach, there is an important lesson to be heeded in the future. As dysfunctional as our government in Washington often seems, individual citizens allied with a united business community can make things happen. Working hard, working together and speaking forcefully and thoughtfully we can persuade Washington to take on the tough challenges facing the nation and our free enterprise system.